

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.
2022 JAN -7 A 9:30
CLERK
SO. DIST. OF GA.

UNITED STATES OF AMERICA)
)
) v. CR321-013
)
VINATH OUDOMSINE)

CONSENT ORDER OF FORFEITURE

WHEREAS, on October 19, 2021, Defendant Vinath Oudomsine (hereinafter, the "Defendant") agreed to be charge by Information with one-count of Wire Fraud, in violation of Title 18, United States Code, Section 1343;

WHEREAS, on October 29, 2021, pursuant to a written plea agreement, Defendant pled guilty to Count One of the Information charging a violation of Title 18, United States Code, Section 1343;

WHEREAS, pursuant to his plea agreement, Defendant agreed to forfeit to the United States all right, title and interest in any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense to which he agreed to plead guilty, which for the purposes of this Consent Order of Forfeiture, shall mean one Pokemon card, described as, 1999 1st Edition Thick Stamp #4 Charizard Holo R (hereinafter, the "Subject Property");

WHEREAS, pursuant to his plea agreement, Defendant agreed to waive the requirements of Federal Rules of Criminal Procedure 32.2, and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment without further order of the Court.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Pursuant to Title 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Rule 32.2(b)(1) of the Federal Rules of Criminal Procedure, the Government has established the requisite nexus between the above-described Subject Property and the offense committed by Defendant, and the Subject Property is hereby forfeited to the United States.

2. Upon entry of this Order, the Attorney General (or a designee) is authorized to commence any applicable proceeding to comply with statutes governing third-party rights, including giving notice of this Order.

3. Any person, other than the above-named defendant, asserting a legal interest in the Subject Property may, within thirty days of the final publication of notice or receipt of notice, whichever is earlier, petition the court for a hearing without a jury to adjudicate the validity of his alleged interest in the Subject Property, and for an amendment of the order of forfeiture, pursuant to 28 U.S.C. § 2461(c).

4. Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Consent Order of Forfeiture shall become final as to Defendant at the time of sentencing and shall be made part of the sentence and included in the judgment. If no third-party files a timely claim, this Order shall become the Final Order of Forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2).

5. Any petition filed by a third party asserting an interest in the Subject Property shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the Subject Property, the

time and circumstances of the petitioner=s acquisition of the right, title or interest in the Subject Property, and any additional facts supporting the petitioner=s claim and the relief sought.

6. If a petition is filed by a third party, and after the disposition of any motion filed under Fed. R. Crim. P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.

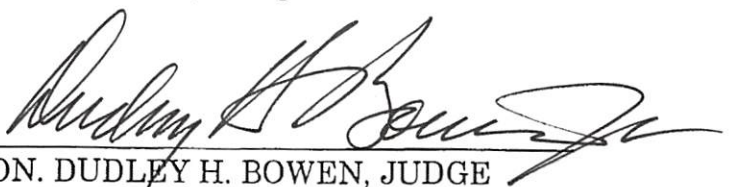
7. The United States shall have clear title to the Subject Property following the Court's disposition of all third-party interests, or if none, following the expiration of the period provided in 21 U.S.C. ' 853(n)(2) for the filing of third-party petitions.

8. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

9. The Clerk of the Court shall forward four certified copies of this Order to Assistant U.S. Attorney Xavier A. Cunningham, United States Attorney's Office for the Southern District of Georgia, P.O. Box 8970, Savannah, Georgia 31401.


Date:

7 Jan. 2022




HON. DUDLEY H. BOWEN, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

[Signatures on the Following Page]

WE ASK FOR THIS:


Xavier A. Cunningham
Assistant United States Attorney
New York Bar Number 5269477
P.O. Box 8970
Savannah, Georgia 31401
(912) 652-4422

Date: 1/6/2021


Vinath Oudomsine
Defendant
C. Brian Jarrard
Attorney for Defendant

Date: 1/4/22